

1 **FILED**
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The Honorable Thomas S. Zilly

2 **SEP 16 2024 MH**

3 **AT SEATTLE**
4 **CLERK U.S. DISTRICT COURT**
5 **WESTERN DISTRICT OF WASHINGTON**
6 **BY DEPUTY**

6 **UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE**

9 UNITED STATES OF AMERICA, STATE OF
10 CALIFORNIA, STATE OF HAWAII, STATE
11 OF NEW MEXICO, and STATE OF
12 WASHINGTON, *ex rel.* JOHN DOE,

13 Plaintiffs,

14 v.

15 DAIYA HEALTHCARE, PLLC and
16 BHUPINDER WALIA, M.D.,

17 Defendants.

CASE NO. 22-CV-565-TSZ

FILED UNDER SEAL

Noted for Consideration on:
September 16, 2024

**GOVERNMENTAL ENTITIES' EX PARTE NOTICE OF DECLINATION AND
APPLICATION FOR AN UNSEALING OF RELATOR'S COMPLAINT**

17 The United States of America and the States of Washington, New Mexico, Hawaii, and
18 California (collectively, the "Governmental Entities"); Defendant Daiya Healthcare, PLLC;
19 Defendant Bhupinder Walia, M.D.; and the Relator have concluded a final settlement¹ to resolve the
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23 ¹ The States of California and Hawai'i are in the process of obtaining final signatures from their respective Attorneys
General. Those will be obtained no later than September 25th, 2024.

1 claims brought on behalf of the Governmental Entities in this action and the other pending *qui tam*
2 matter involving overlapping parties and claims. Pursuant to the False Claims Act, the Governmental
3 Entities hereby notify the Court of their decision to decline this matter and respectfully apply to the
4 Court *ex parte* for an Order lifting the seal.

5 Under the terms of the Settlement Agreement among the parties, following Defendants'
6 payment to the Governmental Entities pursuant to the terms and conditions set forth in the
7 Settlement Agreement, the Governmental Entities and the Relator will file a Joint Stipulation of
8 Dismissal with respect to all claims brought on behalf of the Governmental Entities.

9 Accordingly, in anticipation of filing of a Stipulation of Dismissal, the Governmental Entities
10 request that this Court enter an Order, in the form herewith provided, which lifts the seal on the
11 Relator's Complaint, this Notice and Application, and all other filings.

12 A proposed order accompanies this Notice and Application.

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1 DATED this 16th day of September, 2024.
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Respectfully submitted,

4 TESSA M. GORMAN
5 United States Attorney



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18 *Attorneys for the Plaintiff States*

19 I certify that this memorandum contains 227
20 words, in compliance with the Local Civil Rules.